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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/738,462	12/17/2003	Zachary Utz	D-1190 R2	9546
28995	7590	03/09/2006	EXAMINER	
RALPH E. JOCKE walker & jocke LPA 231 SOUTH BROADWAY MEDINA, OH 44256			ST CYR, DANIEL	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/738,462

Applicant(s)

UTZ ET AL.

Examiner

Daniel St.Cyr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-10, 13 and 14 is/are allowed.
- 6) ☒ Claim(s) 1-7 and 15-27 is/are rejected.
- 7) ☒ Claim(s) 11 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Acknowledgment is made of the applicant's response filed 12/09/05 in which claims 8, 13, 14, were amended. *Claim Rejections - 35 USC § 102*
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7 and 15-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Stanners, US Patent No. 6,583,864.

Stanners discloses a self-service terminal comprising: an ATM 10 including a user interface 12 which comprises: a visual indicator display 14 in the form of an LCD panel, a key pad 16 for entering transaction details, a cash dispenser slot 18 through which bank notes (valuable media) are dispensed to a user, a display screen 20 for providing transaction information to the user, additional keys (FDKs) 22 disposed at opposite sides of the screen 20 for enabling the user to select preset functions which are displayed on the screen 20 and aligned with the FDKs 22, a receipt printer slot 24 through which a receipt for a transaction may be delivered to the user, and a sensor 26 for detecting when a user is present at the ATM 10, the LCD panel 14 has a transparent center area 70 through which the camera 30 and lens 32 view the user 100; that is, the center area 70 is the entry point for light from a user's eye. In registration with the center area 70 are three concentric visual indicators, each having a single element. Each indicator has a center located in the center area 70, and has a different diameter

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to the other indicators; indicators 72, 74, 76, initially, the red indicator 72 is illuminated, shortly thereafter the amber indicator 76 is also illuminated, shortly thereafter the green 74 is also illuminated, the indicators form a multicolor indicator. The system of Stanners is capable of performing the method steps as set forth in the claims.

Allowable Subject Matter

4. Claims 8-10, 13, and 14 are allowed.
5. Claims 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. The following is a statement of reasons for the indication of allowable subject matter:
Although the prior art of record teaches an automated teller machine for performing financial transactions, which includes indication lights, a cash dispenser, card reader, etc. the prior art of record fails to disclose or fairly suggests all the details of the method steps including an array of LEDs having changing color output and a first line of LEDs having only a first output color, the LEDs is supported on a flexible web attached to the first transaction device, etc. These limitations in conjunction with other limitations in the claims were not shown by the prior art of record.

Response to Arguments

7. Applicant's arguments filed 12/09/05 have been fully considered but they are not persuasive. (see examiner remarks).

REMARKS:

In response to the applicant's assumption that claims 25-27 stand allowed, the examiner respectfully disagrees. It is clear on the PTO-326 that these claims are rejected. On page 2 of the previous Office action, the rejected claims should have been 1-7 and 15-27. Claims 1-7 and 15-24 occurred inadvertently resulting from a typo.

In response to the applicant's first argument that Stanners does not teach operating a transaction function device in conducting a transaction such that the condition of the transaction device changes, the examiner respectfully disagrees. Stanners discloses that when a user is detected the display is changed from normal display to text instruction display (this is changing the device condition) (see col. 3, line 52+).

In response to the applicant's second argument that Stanners does not disclose changing color output adjacent to where the user interact with transaction device, the examiner respectfully disagrees. Stanners discloses changing the color of panel 14 once the user identified, the panel is adjacent to the keypad 16 and display 20 where the user interact with the device.

In response to the applicant's third argument that Stanners does not disclose a multicolor light emitting device, the examiner respectfully disagrees. the panel 14 has three concentric visual indicators 72, 74, 76, having a common center area 70, they form a multicolor light emitting device. (see col. 3, line 57+).

The applicant's arguments are not persuasive. Refer to the rejection above.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel St.Cyr whose telephone number is 571-272-2407. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel St.Cyr
Primary Examiner
Art Unit 2876

A handwritten signature in black ink, appearing to read 'Daniel St.Cyr', is written over a horizontal line.